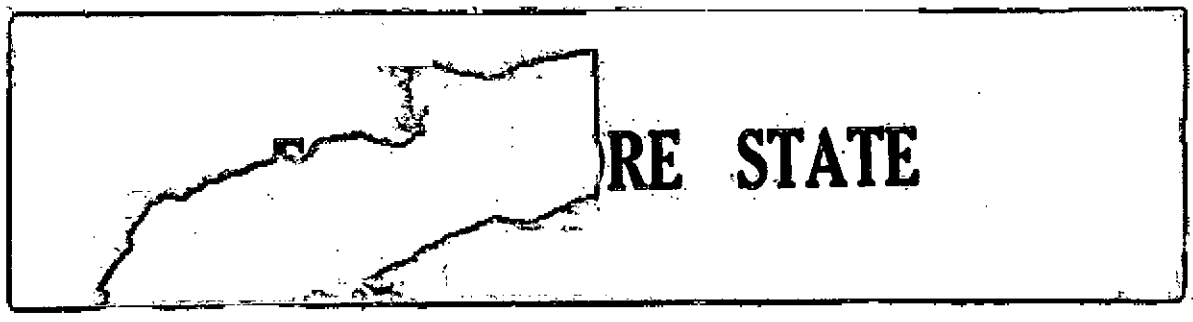


PW (195) Department.

RL- SERIES.

G.O. No. 1687 -RL

Dated 6.7.58

Passed
Dy
Superintendent

[Despatch Abstract.]

Land Acquisition - (South Kanara) - Hosdrug Sub-Taluk - Chervathur villag
Formation of an approach road to Kariangote Bridge - Draft Declaration
under Section 6 and Draft withdrawal notification under Section 48(1)
of Land Acquisition Act - Publication - Ordered.

Revenue Department

Subject:- Land Acquisition- (South Kanara)- Hosdrug Sub taluk- Chervathur village- formation of an approach road- Kariangote bridge- draft Declaration and withdrawal - notification under Sec. 48 (1) of the Land Acquisition Act- submitted-

Ref.No.I.2565/56-2

From Madras.

Dated 10-4-56.

Sri M.V.Subramanian, I.C.S., Commr. of Land Revenue & Development.

Sri A. Somasundaram, B.A., Addl.Secretary, Board of Revenue, Madras.

ASST. SECRETARY TO GOVERNMENT
2753
16 APR 1956
PUBLIC WORKS DEPARTMENT

Read:- From the Collector of South Kanara, R.Dis.11654/55 dated 15-3-56.

" the Collector of South Kanara, L.Dis 9959/56 d/ 29-3-56.

Reference:-

Submitted to the Government.

2. The Board recommends that the objections to the acquisition may be overruled and that the withdrawal notification under Sec. 48 (1) and the draft declaration under Sec. 6 of the Land Acquisition Act submitted by the Collector of South Kanara may be approved and ordered to be published in the Fort St.George Gazette.

for Addl.Secretary.

p.t.o.

2

To the Secretary to Government, Public Works Dept - with encls.
Copy to the Collector of South Kanara-

amk. 14/4.

4/1614

3

29-3-56:- Letter from the Collector of South Kanara L.Dis.9959/56 d/

Ref:- Board's I.2565/56-1 d/ 26-3-56.

--

The actual extent proposed to be acquired is 7.85 acres as is seen from the records maintained in this office. The extent shown as 7.81 acres in the draft declaration submitted in this office R.Dis.11654/55 d/ 15-3-56 is probably due to typographical error. I am however enclosing another copy of the Draft Declaration in duplicate where it could be seen that the actual extent required is 7.85 acres.

(sd) xx
for Secretary

(True copy)

Trivandrum 16.4
for addl.Secretary.

amk. 24/4.

8mf 16/4

Ms 5-7 supra

5

(True) copy of R.Dis.11654/55 dated 15.3.56 addressed to the Secretary to the Government, P.W.D. Fort St. George Madras-9 through the Secretary to the Board of Revenue, Land Revenue Chepauk, Madras-5.

-:o:-

LAND ACQUISITION - (South Kanara) Hosdrug Sub Taluk - Chervathur village - formation of an approach road-Kariangale bridge - Draft Declaration under Section 6 of the Land Acquisition Act and withdrawal - Notification under section 48(1) - Land Acquisition Act - approval report submitted.

p 9 of (2) Ref:- G.O.Rt.No.726 P.W.D. dated 10.5.55.

The draft notification under section 4(1) of the Land Acquisition Act approved in this case, was published at page 765 Part I of the Fort St. George Gazette dated 25.5.55 as notification No.56. Thereafter enquiry under ~~section~~ Section 5A of the Land Acquisition Act was held after publication and service of the notices on the interested parties in the prescribed manner. During the enquiry

A it was represented to the Revenue Divisional Officer, by the interested parties of R.S.Nos.315/5, 318/2, 320/1, and 320/3 that their residential houses existing on the plots might be saved from acquisition by slightly altering the originally proposed alignment of the approach road. The Revenue Divisional Officer, therefore held a joint inspection of the several plots involved

B in this case with the Assistant Engineer in charge of the bridge w After inspecting the plots the Revenue Divisional Officer has proposed to slightly alter the alighment of the road with a view

C to exclude the residential houses existing in R.S.No.315/5, 318/2 and 320/1. On account of the revised alignment, R.S.Nos. 315/5 will be totally excluded from the acquisition proceedings. By deviating from the original alignment the cost of acquisition will also be reduced considerably. Ambu Karnava who is in enjoyme of the plots R.S.Nos.318/2 and 320/3 states in his petition date 18.7.1956, that the two plots contain two houses, and also a well

D R.S.No.318/2 and that it can be saved from acquisition with some effort. After inspecting the several plots and changing the original alignment the house and the well existing in R.S.No.318/2 will be completely excluded from acquisition. But his house existing in R.S.No.320/3 cannot be saved even after changing the alignment, because the house is situated in the centre of the proposed road. In petition also it is seen that he has no serious objection

E/ G acquisition of their ~~respective plots~~ house existing in S.N. 320/3. The interested parties of appo

(3) there no objection to the acquisition of their respective plots.

G apportionment of the compensation amount. This question will be decided by the Revenue Divisional Officer at the time of the award enquiry, regard being had to the interest H of each person in the respective plots.

2. It is not possible to save the house, in R.S.No.320/3 I even after changing the alignment. Further deviation from the original alignment is not possible. The house is situated in the centres of the proposed road. The plot is required for a public purpose. The interested party will be paid reasonable compensation for the plot and house to be acquired. The M objection of ~~Hamba~~ Amba Karnavan does not therefore deserve consideration and they may, therefore, be overruled as he himself is not very vehement in his objections.

J 3. The total extent of the plots sought to be acquired is 7.85 acres. They are registered in the Revenue accounts either as Wet. I, Wet II or garden. According to the preliminary valuation statement the cost of lands and other improvements K existing on them works out to Rs.44,49-9-0 including solatium at 15%. The final valuation is being prepared. I shall however verify the valuation made, inspect the plots and give instructions to the Revenue Divisional Officer, ~~whenever~~ necessary. In any case the valuation of the plots, is likely to vary a little more or less at the time of the final scrutiny of the valuation statement and R.D. records. The entire cost of acquisition has to be paid out of public revenues.

4. I submit herewith a draft declaration under section 6 of the Land Acquisition Act in duplicate and also a draft withdrawal motification under section 48(1) of the said Act in respect of R.S.No.315/5 which has been excluded from acquisition after changing the alignment on inspection. No compensation is due to be paid to any of the interested parties under R section 48(2) of the Land Acquisition Act on account of the withdrawal of R.No.315/5 from acquisition. I request that the Draft declaration and the withdrawal notification may

2

be approved and ordered to be published in the Fort St. George Gazette.

(J) 5. The records of enquiry under section 5A of the Land Acquisition Act are enclosed for perusal and rturn with the necessary orders.

-:True copy:-

2/3 M 29/5

For Collector.

2/3/5

9 19

Under Section 48(1) of the Land Acquisition Act 1894, as amended by the Land Acquisition (Amendment) Act XXXVIII of 1923, the Governor of Madras hereby withdraws from acquisition of the land mentioned below in respect of which notification under section 4(1) of the Land Acquisition Act was published at page 765 of Part I of the Fort St. George Gazette dated 25.5.55, as being required for a public purpose, to wit, for forming an approach road to Kariangote bridge.

District: South Kanara.

Taluk: Kasargod.

Village: Chervathur.

Wet II R.S.No.315/5(Portion) Registered holder:

T.C.Ravi Varma Raja (dead)

Legal Heir:

T.C.Rama Varma Valiya Raja

Kuzhikanam Tenant:

Karikil Karichi.

S.Kanara Collector's Office,
Mangalore, dated 15--3--1956

3/6 For Collector.

sr/16-3

The Government having been satisfied that the lands specified in the schedule below has to be acquired for a public purpose and it having already been decided that Rs.44849-9-0 be the same a little more or less if found at the time of final scrutiny of the valuation statement is to be ~~compensated~~ paid out of public revenues towards compensation to be awarded the following declaration is issued under section 6 of the Land Acquisition Act (Act I of 1894).

Under section 6 of the Land Acquisition Act, the Governor of Madras, hereby declares that the lands specified in the schedule below and measuring acres 7.85 be the same a little more or less, is needed for a public purpose, ~~to~~ wit, for the purpose of forming an approach road to Kariangote bridge and under section 3 ~~of~~ and 7 of the same Act, the Revenue Divisional Officer, Puttur is appointed to perform the functions of ~~the~~ a Collector under the Act and directed to take order for the acquisition of the said lands. A plan of the lands is kept in the office of the Revenue Divisional Officer, Puttur and may be inspected at any time during office hours.

SCHEDULE

District	Taluk	Village	Description of land wet or dry inam or poramboke, with survey or paimash No.	Name of owner	Extent to be taken up.
					Acs.Cent
South Kanara	Kasargod	Chervathur	Wet II 315/4 (Portion)	REGISTERED HOLDER A.C.Karthyayini Amma Mulageni tenants:- Meethale Valappil Ambadi (2) Kandathiveetil Ambuti and (3)Palthera Raman	0.35
			Wet II 315/6A ~~(Portion)~~ (Entire)	REGISTERED HOLDER. T.C.Ravivarma Raja (Dead) Legal heir:T.C.Rama Varma Valiya Raja Kuzhikanam tenants: 1)Muthalavalappil Ambadi 2)Patteriveetil Pokki 3)Pateriveetil Chiruda and 4) Batyan	0.20
			Garden 315/6B (Entire)	REGISTERED HOLDER: T.C.Ravi Varma Raja (Dead) Legal-Heir:Ramavarma Valiya Raja Kuzhikanam Tenants: 1)Meethalevalappil Ambadi 2) Kandathiveetil Kanna 3(Manikkam (4)Chiruda 5)Bellachi (6)Patti (7)Patteriveetil Pokki and (8)Patteriveetil Chiruda	0.82
			Garden 318/1A (Portion)	REGISTERED HOLDER: T.C.Ravi Varma Raja (dead) LEGAL HEIR: T.C.Rama Varma Valiya Raja. Kuzhikanam Tenants: 1)Katamballi Kunhappi (2)Thayivalappil Pokkan (3) Katamballi Kunhiraman KANAMDAR:Madagath Kunhada.	0.30
			Wet II 318/1C Portion.	REGISTERED HOLDER T.C.Ravi Varma Raja (dead)	0.13

12

	Legal Heir: T.C.Rama Varma Valiya Raja	
	Kuzhikanam Tenant:Katamballi Kunhappi.	
Garden 318/2 Portion	REGISTERED HOLDER Alangai Kanna Karnava (dead)	0.08
	Legal Heir and holder of Jenman right: Ambu Karnavan	
Vet II 319 Portion	REGISTERED HOLDER: T.C.Ravi Varma Raja (dead)	1.86
	Legal Heir: T.C.Ramavarma Valiya Raja.	
	Kuzhikanam tenants: 1)Katamballi Kunhanni 2)Katamballi Chandan	
	Joint Kuzhikanamdars: 1) Thaivalappil Pokkan and 2)Katamballi Kunhiraman	
	Chalgeni tenants:1) Meethalevalappil Ambadi (2) Katamballi Kunhambu 3) Kekevalappil Kannan 4)Kekevalappil Ambadi (5)Katamballi KandaKora (6) Katuthali Harikutti 7) Kakadath Pathyan (8) Kekevalappil Kunhambadi (9) Tayevalappil Parhambu 10) Kekevalappil Ambadi (11)Katurmal Raman (12)Katul Pokkan (13)Karipoth Raman and (14)Kekevalappil Kunhambu	
Garden ~~320/1~~ 320/1 (portion)	REGISTERED HOLDER Kunhiraman Vaidyar 2)Ambadi Pannikar (dead) 3)Ambadi Vaidyar (4)Kunhikannan (5)Kumbachi	0.47
	Kuzhikanam Tenants:(1)Kekevalappil Kunhambadi (2)Kunhiraman (3)Kunhada 4)Ambu (5)Kunhikannan	
Garden 320/2 (Portion)	REGISTERED HOLDER:Yedakavil Pathumma (dead)	0.12
	LEGAL HEIR: Kalla Pudiyaveetil Abdul Roofe.	
	Kuzhikanam Tenant:Kapla Valappil Ambadi Anditthiya	
Garden 320/3 Portion	REGISTERED HOLDER: Alangai Kannan Karnava(dead)	0.53
	Legal Heir:Ambu Karnava.	
Garden 320/16A portion	REGISTERED HOLDERS: 1)Alangai Kannan Karnava (dead)	0.24
	LEGAL HEIRS:Kunhiraman 2)V.K.P.Abdul Khader.	
	Holder of Janmam right:Porthematummal Ambadi.	
	Kuzhikanam Tenants:1)Kandathiveetil Ambu (2)Narambalappil Ambadi 3)Kekevalappil Kunhambadi.	

Garden 320/16B Portion	REGISTERED HOLDER Pulirekkeyil Ambadi	0.07
Garden 320/17 portion	REGISTERED HOLDER: Kambalur Mani. Holder of Jenmam right: Koteyil Madhavi Amma. Kuzhikanam Tenant:Marambalappil Ambadi.	0.07
Garden 320/18 Portion	REGISTERED HOLDER: Ponnam Narayana Puduval Kuzhikanam Tenant:Kandathivveetil Ambu	0.03
Garden 328/1 Portion	REGISTERED HOLDER: T.C.Ravi Varma Raja (dead) Legal Heir: T.C.RamaVarma Valiya Raja Kuzhikanam Tenant:Madagath Kumbechi.	0.42
Garden 328/2 Portion	REGISTERED HOLDER: Chervathur Veerabhadra Devasya represented by the Executive Officer Sri A.Kunhi Krishnan Nambiar. Kuzhikanam Tenants: (1)Kallatha Valappil Kannan (2)Chemmarthi (3)Ambadi (4)Pokkan (5)Ambu, (6) Kunhirama Other interested Party:Assistant Commissioner Hindu Religious and Charitable Endowments Board,Mangalore.	0.24
Wet I 330/1 Portion	REGISTERED HOLDER: Krishnan Nair. Chalgeni tenant:Katamballi Kuhiraman	0.07
Wet I 331/1 Portion	Joint Registered holders: 1)A.C.Kunhikoran Nambiar 2)Cherekareveetil Kelu Adiyodi Holder of Jenmam right -.Kunnath Ahammad Majee. Chalgeni tenants:1)K.Ambu and (2) Katamballi Kunhambu.	0.23
Wet I 331/2 Portion	REGISTERED HOLDER:Chinda Puduval Chalageni tenants:(1)Chemmarthi 2)Kallatha Valappil Kannan 3)Ambadi (4)Pokkan (5)Ambu 6)Kunhirama	0.51
Wet II 331/3 Portion	JOINT REGISTERED HOLDERS: 1)A.C.Kunhikoran Nambiar 2)Cherekare Veetil Kelu Adiyodi Chalgeni and Kuzhikanam tenant: Katamballi Kunhambu.	0.12
Wet I ~~331/4~~ 331/4 Portion	Joint Registered holders: 1)A.C.Kunhikoran Nambiar and 2)Cherekareveetil Kelu Adiyodi Holder of Jenmam right:Kunnath Ahammad Hajee	0.65

14

-:4:-

	CHALTY[illegible]:E.[illegible]u (2) Pandathimeeti [illegible]e and 3) Katamballi Kunhamma.	
Garden 332/1 portion	BRCI[illegible]ED HOL[illegible]: Cherebara Aomar Nair.	0.12
	Mughikanam tenants: 1)Pandothparath Ambadi 2) Puthalevalappil Ambadi 3) Manikkam (4)Kannan 5)Chittai and (6)Chirutei	
	Holder of Kanam right:-Cheramal Yusuf.	—
Wet I 332/3 Portion	B[illegible]Cl[illegible]: Nakem Amma	0.22
	Mughikanam tenants: 1) Katana Laxmi 2) Thottan Kelappan	
	Arvardar:Katma Krishna	
		7.85 acre

-True copy-

For Collector.

S.Kanara Collector's Office,
Mangalore, dated 15--3--1956

3/4/56

P.W.D(A-3)

15

105/cc/5

Memo No. 2753 A/56-1 dt. 4-5-56.

Sub: Land Acquisition - (South Kanara) Hosdrug Sub taluk - Cheruvathur village - Formation of approach road to Karingote bridge - Draft declaration and draft withdrawal notification.

Ref: From the Bd. of Revenue, Ref. No. I - 2565/56-2 dt. 10-4-56.

pp 1 c/f

It is not clear from the collr's (letter No 11654/55 dt 15-3-56, submitted to the Govt with the reference cited, whether the house in R.S. No 320/1 will be excluded from the land acquisition proceedings or not. The collector is requested to clarify on this point.

pp 5-7 c/f

The copy of the collr's letter referred to above received in this Department is not complete as there is omission of words between the words ~~"with a view to"~~ After inspecting the plots the R.D.O. has proposed ~~and ending with the words "will be totally excluded from the acquisition proceedings."~~ occurring in para 1 of the letter. The collr is now therefore requested

pp 5-7 c/f

Vide XX on pp 5-6 c/f

1h

to furnish a complete copy of his letter.

M
4.5.56

RC
4/5/56
KW
4.5.56

CENTRAL DESPATCH [illegible]
Received
Despatched by [illegible]

To: [illegible] pp 3 of 6
The Collector S. Kanara.
(With enclosures)
copy to
The Bd. of Rev.

notes Please see the letter reference from the Bd. of Revenue and its enclosures on pp 1-13 ante. The draft Memo to the Collr. above is submitted for approval.

M
4.5.56

RC
4/5/56
KW
4.5.56

L.Dis.13514/56.

South Kanara Collector's Office,
Mangalore, dated 7--5--1956.

From

Sri M.G Raja Ram, I.A.S.,
Collector of South Kanara.

To

The Secretary to the Government,
P.W.D., Fort St. George,
Madras-9.

ASST. SECRETARY TO GOVERNMENT
14 MAY 1956
PUBLIC WORKS DEPARTMENT

LAND ACQUISITION :- (South Kanara) Hosdrug Sub Taluk - Chervathur village - formation of approach road to Kariangal bridge - Draft Declaration under Section 6 of the Land Acquisition Act and draft withdrawal notification copy of report etc.

Ref:- Govt.Memo.No.2753/A/56-1 P.W.D. dated 4.5.56.

The residential house in R.S.No.320/1 willbe excluded from acquisition.

2. A correct copy of this office R.Dis.11654/55 dated 15.3.56 in duplicate is enclosed.

Yours faithfully

For Collector

sr/9-5

be approved and ordered to be published in the Fort St. George Gazette. 21

5. The records of enquiry under section 5A of the Land Acquisition Act are enclosed for perusal and return with the necessary orders.

-:True copy:-

3/3

For Collector.

7/9/15

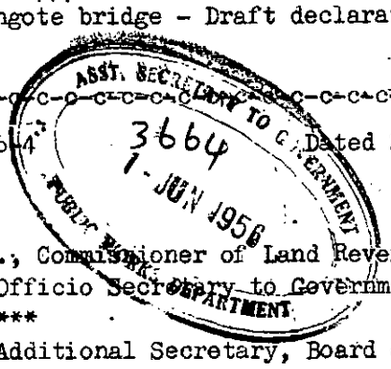
23

REVENUE DEPARTMENT.

****

SUBJECT:

LAND ACQUISITION - (South Kanara) Hosdrug Sub Taluk - Chervathur village - Formation of approach road to Kariangote bridge - Draft declaration and draft withdrawal notification.



Madras-5. Ref.I.2565/56-4 Dated 26.5.1956.

From

Sri. M.V. Subramanian, I.C.S., Commissioner of Land Revenue, Food Production and Ex-Officio Secretary to Government, Agriculture(F.P).

****

Sri. A. Somasundaram, B.A., Additional Secretary, Board of Revenue (L.R.), Madras.

***

Read:- Board's Ref.I.2565/56-2 dated 10.4.56.
Government Memo No.2753 A/56-1 P.W.D. dated 4-5-56.
Collector, South Kanara L.Dis.14004/56 dated 15.5.56.

*****

REFERENCE:

Submitted to Government with reference to the Government Memo cited.

FOR SECRETARY.

To

The Secretary to Government,
Public Works Department, Madras.

Copy to the Collector of South Kanara.

kkp/29.5.

Copy of L.Dis.14004/56 dated 15.5.1956 from the Collector of South Kanara addressed to the Secretary to the Board of Revenue, Land Revenue, Madras.

****

Sub:- LAND ACQUISITION - South Kanara - Hosdrug Sub Taluk - Chervathur village - formation of approach road -(Karianott) bridge - D.D.under sec.6 of the L.A.Act and withdrawal notification under sec.48(1) of the said act.

Ref:-Board's Ref.I.2565/56-3 dated 10.5.56.

****

A copy of this office letter L.Dis.13514/56 dated 7.5.56 with a correct copy of this office R.Dis.11654/56 dated 15.3.56 is enclosed.

Yours faithfully,
Sd/.....
For Collector.

--True Copy--

Copy of L.Dis.13514/56 dated 7.5.56 from the Collector of South Kanara to the Secretary to the Government, P.W.D. Fort St.George, Madras.9.

...

Sub:- As above.
Ref:-Government Memo No.2753-A/56-1 P.W.D. dated 4.5.56.

...

The residential house in R.S.No.320/1 will be excluded from acquisition.

2. A correct copy of this office R.Dis.11654/55 dated 15.3.56 in duplicate is enclosed.

Sd/.....
For Collector.

--True Copy--

P.T.O.

24

Copy of R.Dis.11654/55 dated 15.3.56 from the Collector of South Kanara Mangalore to the Secretary to the Government, Public Works Department, Fort St.George, Madras-9 through the Secretary to the Board of Revenue, Land Revenue, Madras-5.

...

Sub:- As overleaf.
Ref:-G.O.Rt.No.726 P.W.D. dated 10.5.55.

The draft notification under section 4(1) of the L.A.Act approved in this case, was published at page 765-Part I of the Fort St.George Gazette dated 25.5.55 as notification No.56. Thereafter enquiry under sec.L.A.of the L.A.Act was held after publication and services of the notices on the interested parties, in the prescribed manner. During the enquiry, it was represented to the Revenue Divl.Officer by the interested paties of R.S.Nos. 315/5,318/2,320/1 and 320/3 that their residential houses existing on theplots might be saved from acquisitional by slightly altering the originally proposed alignment of the approach road. The Revenue Divl.Officer therefore held a joint inspection of the several plots involved in this case with te Assistant Engineer in charge of the bridge works. After inspecting the plots tne Revenue Divl.Officer has proposed to slightly alter the alignment of the road, with a view to exclude the residential houses existing in R.S.Nos.315/5,318/2 and 320/1. On account of the revised alignment, R.S.No.315/5 will be totally excluded from the acquisition, proceedings. By deviating from the original alignment, the cost of acquisition will also be reduced considerably. Ambu Kannan who is in enjoyment of the plots R.S.No.318/2 and 320/2 states in his petition dated 18.7.55, that the two plots contain two houses, and also a well in R.S.No.318/2 and that it can be saved from acquisition with some effort. After inspecting the several plots, and changing the original alignment, the house and the well existing in R.S.No.318/2 will be completely excluded from acquisition. But his house existing in R.S.No.320/3 cannot be saved even after changing the alignment, because the house is situated in the centre of the proposed road. From his petition also it is seen that he has no serious objection to the acquisition of the house existing in S.No.320/3. The interested parties of various other plots have no objection to the acquisition of their respective plots. They object only to the apportionment of the compensation amount. This question will be decided by the Revenue Divl.Officer at the time of the award enquiry regard being had to the interest of each person in the respectiveplots.

2. It is not possible to save the house, in R.S.No.320/3 even after changing the alignment. Further deviation from the original alignment is not possible. The house is situated in the Centre of the proposed road. Theplot is required for a public purpose. The interested party ill be paid reasonable compensation for the plot and house to be acquired. The objection of Ambu Kannan does not therefore deserve consideration and tney may therefore, be overruled as he himself is not very vehement in his objections.

3. The total extent of the plots sought to be acquired is 7.85 acres. They are registered in the Revenue accounts either as Wet I, wet II or garden. According to the Preliminary valuation statement, the cost of lands and other improvements existing on them works out to Rs.44,849-9-0 including solatium at 15%. The final valuation is being prepared. I shall however verify the valuation made, inspect the plots and give instructions to the Revenue Divl.Officer wherever necessary. In any case the valuation of the plots, is likely to vary a little more or less at the time of the final scrutiny of the valuation statements and Sub division records. The entire cost of acquisition has to be paid out of public revenues.

4. I submit herewith a draft declaration, under Sec.6 of the L.A. Act in duplicate and also a draft with-drawal notification under sec.48(1) of the said Act in respect of R.S.No.315/5 which has been excluded from acquisition after changing the alignment on inspection. No compen-

[Same as on pp 5-7 ante] 19

(True) copy of R.Dis.11654/55 dated 15.3.56 addressed to the Secretary to the Government, P.W.D. Fort St. George Madras-9 through the Secretary to the Board of Revenue, Land Revenue Chepauk, Madras-5.

-:o:-

LAND ACQUISITION - (South Kanara) Hosdrug Sub Taluk -Chervathur village -formation of an approach road-Kariangale bridge Draft Declaration under Section 6 of the Land Acquisition Act and withdrawal - Notification under section 48(1) -Land Acquisition Act -approval report submitted.

Ref:-G.O.Rt.No.726 P.W.D. dated 10.5.55.

The draft notification under section 4(1) of the Land Acquisition Act approved in this case, was published at page 765 Part I of the Fort St. George Gazette dated 25.5.55 as notification No.56. Thereafter enquiry under ~~section~~ section 5A of the Land Acquisition Act was held after publication and service of the notices on the interested parties in the prescribed manner. During the enquiry it was represented to the Revenue Divisional Officer, by the interested parties of R.S.Nos.315/5, 318/2, 320/1, and 320/3 that their residential houses existing on the plots might be saved from acquisition by slightly altering the originally proposed alignment of the approach road. The Revenue Divisional Officer, therefore held a joint inspection of the several plots involved in this case with the Assistant Engineer in charge of the bridge work. After inspecting the plots the Revenue Divisional Officer has proposed to slightly alter the alignment of the road with a view to exclude the residential houses existing in R.S.No.315/5, 318/2 and 320/1. On account of the revised alignment, R.S.Nos. 315/5 will be totally excluded from the acquisition proceedings. By deviating from the original alignment the cost of acquisition will also be reduced considerably. Ambu Karnava who is in enjoyment of the plots R.S.Nos.318/2 and 320/3 states in his petition dated 18.7.1956, that the two plots contain two houses, and also a well in R.S.No.318/2 and that it can be saved from acquisition with some effort. After inspecting the several plots and changing the original alignment the house and the well existing in R.S.No.318/2 will be completely excluded from acquisition. But his house existing in R.S.No.320/3 cannot besaved even after changing the alignment, because the house is situated in the centre of the proposed road. From his petition also it is seen that he has no serious objection to the acquisition of ~~their respective plots~~ house existing in S.No.320/3. They object only to the

(R) here no objection to the acquisition of their respective plots

(R) the interested parties of various other plots

apportionment of the compensation amount. This question will be decided by the Revenue Divisional Officer at the time of the award enquiry regard being had to the interest of each person in therespective plots.

2.It is not possible to save the house, in R.S.No.320/3 even after changing the alignment. Further deviation from the original alignment is not possible.The house is situated in the centres of the proposed road. The plot is required for a public purpose. The interested party will be paid reasonable compensation for the plot and house to be acquired.The objection of Ambu Karnavan does not therefore deserve consideration and they may,therefore,be overruled as he himself is not very vehement in his objections.

3.The total extent of the plots sought to be acquired is 7.85 acres.They are registered in the Revenue accounts either as Wet.I,Wet II or garden. According to the preliminary valuation statement the cost of lands and other improvements existing on them works out to Rs.44849-9-0 including solatium at 15%. Thefinal valuation is being prepared. I shall however verify the valuation made inspect the plots and give instructions to the Revenue Divisional Officer, whenever necessary.In any case the valuation of the plots,is likely to vary a little more or less at the time of the final scrutiny of the valuation statement and S.D.records. The entire cost of acquisition has to be paid out of public revenues.

4.I submit herewith a draft declaration under section 6 of the Land Acquisition Act in duplicate and also a draft withdrawal motification under section 48(1) of the said Act in respect of R.S.No.315/5 which has been excluded from acquisition after changing the alignment on inspection. No compensation is due to be paid to any of the interested parties under section 48(2) of the Land Acquisition Act on account of the withdrawal of S.No.315/5 from acquisition. I request that the Draft declaration and the withdrawal notification may

be approved and ordered to be published in the Fort St. George Gazette.

5. The records of enquiry under section 5A of the Land Acquisition Act are enclosed for perusal and rturn with the necessary orders.

-:True copy:-

For Collector

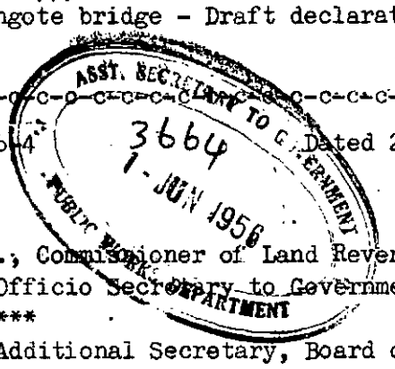
23

REVENUE DEPARTMENT.

****

SUBJECT:

LAND ACQUISITION - (South Kanara) Hosdrug Sub Taluk - Chervathur village - Formation of approach road to Kariangote bridge - Draft declaration and draft withdrawal notification.



Madras-5. Ref.I.2565/56-4 Dated 26.5.1956.

From

Sri. M.V. Subramanian, I.C.S., Commissioner of Land Revenue, Food Production and Ex-Officio Secretary to Government, Agriculture(F.P).

****

Sri. A. Somasundaram, B.A., Additional Secretary, Board of Revenue (L.R.), Madras.

***

Read:- Board's Ref.I.2565/56-2 dated 10.4.56.
Government Memo No.2753 A/56-1 P.W.D. dated 4-5-56.
Collector, South Kanara L.Dis.14004/56 dated 15.5.56.

*****

REFERENCE:

Submitted to Government with reference to the Government Memo cited.

FOR SECRETARY.

To

The Secretary to Government,
Public Works Department, Madras.

Copy to the Collector of South Kanara.

kkp/29.5.

29/5

Copy of L.Dis.14004/56 dated 15.5.1956 from the Collector of South Kanara addressed to the Secretary to the Board of Revenue, Land Revenue, Madras.

****

Sub:- LAND ACQUISITION - South Kanara - Hosdrug Sub Taluk - Chervathur village - formation of approach road -(Karianott) bridge - D.D.under sec.6 of the L.A.Act and withdrawal notification under sec.48(1) of the said act.

Ref:-Board's Ref.I.2565/56-3 dated 10.5.56.

****

A copy of this office letter L.Dis.13514/56 dated 7.5.56 with a correct copy of this office R.Dis.11654/56 dated 15.3.56 is enclosed.

Yours faithfully,
Sd/.....
For Collector.

--True Copy--

Copy of L.Dis.13514/56 dated 7.5.56 from the Collector of South Kanara to the Secretary to the Government,P.W.D. Fort St.George, Madras.9.

...

Sub:- As above.
Ref:-Government Memo No.2753-A/56-1 P.W.D. dated 4.5.56.

...

The residential house in R.S.No.320/1 will be excluded from acquisition.

2. A correct copy of this office R.Dis.11654/55 dated 15.3.56 in duplicate is enclosed.

Sd/.....
For Collector.

--True Copy--

P.T.O.

24

Copy of R.Dis.11654/55 dated 15.3.56 from the Collector of South Kanara Mangalore to the Secretary to the Government, Public Works Department, Fort St.George, Madras-9 through the Secretary to the Board of Revenue, Land Revenue, Madras-5.

...

Sub:- As overleaf.
Ref:-G.O.Rt.No.726 P.W.D. dated 10.5.55.

The draft notification under section 4(1) of the L.A.Act approved in this case, was published at page 765-Part I of the Fort St.George Gazette dated 25.5.55 as notification No.56. Thereafter enquiry under sec.L.A.of the L.A.Act was held after publication and services of the notices on the interested parties, in the prescribed manner. During the enquiry, it was represented to the Revenue Divl.Officer by the interested pties of R.S.Nos. 315/5,318/2,320/1 and 320/3 that their residential houses existing on theplots might be saved from acquisitional by slightly altering the originally proposed alignment of the approach road. The Revenue Divl.Officer therefore held a joint inspection of the several plots involved in this case with te Assistant Engineer in charge of the bridge works. After inspecting the plots the Revenue Divl.Officer has proposed to slightly alter the alignment of the road, with a view to exclude the residential houses existing in R.S.Nos.315/5,318/2 and 320/1. On account of the revised alignment, R.S.No.315/5 will be totally excluded from the acquisition, proceedings. By deviating from the original alignment, the cost of acquisition will also be reduced considerably. Ambu Kannan who is in enjoyment of the plots R.S.No.318/2 and 320/2 states in his petition dated 18.7.55, that the two plots contain two houses, and also a well in R.S.No.318/2 and that it can be saved from acquisition with some effort. After inspecting the several plots, and changing the original alignment, the house and the well existing in R.S.No.318/2 will be completely excluded from acquisition. But his house existing in R.S.No.320/3 cannot be saved even after changing the alignment, because the house is situated in the centre of the proposed road. From his petition also it is seen that he has no serious objection to the acquisition of the house existing in S.No.320/3. The interested parties of various other plots have no objection to the acquisition of their respective plots. They object only to the apportionment of the compensation amount. This question will be decided by the Revenue Divl.Officer at the time of the award enquiry regard being had to the interest of each person in the respectiveplots.

2. It is not possible to save the house, in R.S.No.320/3 even after changing the alignment. Further deviation from the original alignment is not possible. The house is situated in the Centre of the proposed road. Theplot is required for a public purpose. The interested party ill be paid reasonable compensation for the plot and house to be acquired. The objection of Ambu Kannan does not therefore deserve consideration and they may therefore, be overruled as he himself is not very vehement in his objections.

3. The total extent of the plots sought to be acquired is 7.85 acres. They are registered in the Revenue accounts either as Wet I, wet II or garden. According to the Preliminary valuation statement, the cost of lands and other improvements existing on them works out to Rs.44,849-9-0 including solatium at 15%. The final valuation is being prepared. I shall however verify the valuation made, inspect the plots and give instructions to the Revenue Divl.Officer wherever necessary. In any case the valuation of the plots, is likely to vary a little more or less at the time of the final scrutiny of the valuation statements and Sub division records. The entire cost of acquisition has to be paid out of public revenues.

4. I submit herewith a draft declaration, under Sec.6 of the L.A. Act in duplicate and also a draft with-drawal notification under sec.48(1) of the said Act in respect of R.S.No.315/5 which has been excluded from acquisition after changing the alignment on inspection. No compen-

25

sation is due to be paid to any of the interested parties under Sec.48(2) of the L.A.Act, onaccount of the with-drawal of S.No.315/5 from acquisition. I request that the D.D. and the withdrawal notification may be approved and ordred to be published in the fort St.George Gazette.

5. The records of enquiry under Sec.5A of the L.A.Act are enclosed for perusal and return with the necessary orders.

Sd/.....
For Collector.

--True Copy--

FOR SECRETARY.

kkp/29.5.

[C No. 2753 - A/56.]

27

P.W.D. (A-3).

25/7 and draft

LAND ACQUISITION - (South Kanara) - Hosdrug Sub-Taluk - Chervathur village - Formation of an approach road to Kariangote Bridge - Draft declaration under Sec.6, withdrawal notification under Sec.48(1) ~~of~~ and L.A.Act. ~~are draft L.A.Act~~ - Publication - Ordered.

- -

Read:

G.O.RT.No.726, P.W., dt.10.5.55.
From the Bd. of Rev. Ref.No.I-2565/56-2, dt.10.4.56.

.....

G.O.RT.No. 1487 dt. 6/7/56

The draft withdrawal notification under Sec.48(1) of the Land Acquisition Act ~~L.A.~~ in respect of R.S.No.315/5 ~~of~~ (Portion) in Chervathur village, South Kanara Dist., submitted by the Bd. of Rev. with its reference cited is approved and is forwarded to the C.S.P. for publication in Fort St. George Gazette.

2. The Govt. direct that the objections to the acquisition of other lands required for the formation of an approach road to the Kariangote Bridge in S.Kanara Dist. be over-ruled.

3. The draft declaration under Sec. 6 of the L.A. Act submitted by the Bd. of Rev. is approved and is forwarded to the Controller of Stationery and Printing for publication in the Fort St. George Gazette.

21.5.56

To The Controller of Stationery and Printing, (with copies of the notifications for publication).
To The Bd. of Revenue.
To The Collr. of S. Kanara (with records returned)
Copy to the C.E.(H)

25/6 (J) 18/5/56

ASST. SECRETARY TO GOVERNMENT
30 JUL 1956
PUBLIC WORKS DEPARTMENT

Highways Department.

From
Sri [illegible] M.I.E.(Ind) F.Inst.[illegible] M.I.Mun.E.(Eng) M.Am.Soc.C.E.,
Chief Engineer (Highways)
Chepauk, Madras.5.

To
The Secretary to Government,
Public Works Department,
Madras.

Letter No. 38560-J2/56-1 Dated. 24.7.56.

Sir,

Sub: Land Acquisition(South Kanara) Hosdrug Sub-Taluk Chervathur Village, Formation of an approach road to Kariangote Bridge-Draft declaration-Regarding.

Ref: G.O.Rt.No.1487 P.W. dated 6.7.56. p. 27 cf (A)

I request that a copy of G.O.Rt.No.726 P.W. dated 10.5.56 referred to in the G.O. cited may please be arranged to be furnished as it does not appear to have been received in this office.

for Chief Engineer (Highways)

DN 26.7.56.

P.W.D.(A3)

Memo No. 5089-A/56-1 dt 7.8.56

Sub: L.A-(S.Kanara) - Hosdrug Sub taluk - Cheriyathur village - Formation of approach road to Kariangole Bridge - D.D.

Ref: From the C.E.(H), Ref no 38560-J2/56-1 dt 24.7.56.

The C.E(H) is informed that G.O.Rt. No. 726 P.W. dt 10.5.56, referred to in G.O. Rt No 1487 P.W. dt 6.7.56, is a typographical error for G.O Rt No 726 P.W dt 10.5.55. A copy of it is,

p1 of

(Rate corrected)

p.27 of (A)

p.9 of (B)

v/

however, enclosed:

Ref
D/No Div E
6/8/56 DP 7816

To

The CE (A)
(with a copy of his letter (B))

copy to
/ The Bd. of Rev.
The Collr of S. Kanara
CE (Mtce) / C.S.P.

(A)

Sd
13/6/56

Date Initials

Note:

may be filed with C.O. Ref
No 1487 P.W. dy 6.7.56, after
issue.

DP
7/8/56

Ref
D/No Div E
6/8/56

[C. No. 2753-A/56]

P.W.D.(A-3).

SUB: LAND ACQUISITION - (South Kanara) - Hosdrug Sub Taluk - Chervathur Village - Formation of an approach road to Kariangota bridge - Draft declaration under Section 6 and draft withdrawal notification under Sec.48(i) of the Land Acquisition Act.

Ref: From the Board of Revenue, Ref.No.I-2565/56-2, dated the 10th April 1956.

Please see the reference from the Board of Revenue and its enclosures on pp.1-13 c.f.

2. In G.O.Rt.No.726 P.W., dated 10-5-55, the notification under Section 4(1) of the Land Acquisition Act in respect of the lands required for the formation of an approach road to Kariangote Bridge in South Kanara Dist. was ordered to be published. The Collr. of S.Kanara has now reported that in response to the enquiry under Section 5-A of the L.A.Act, interested parties of S.Nos.315/5, 318/2, 320/1 and 320/3 represented that their residential houses existing on the plots would be affected by the formation of the road and that they might be saved by slightly altering the alignment. Accordingly, the R.D.O. made a joint inspection of the spot with the Asst. Engineer in charge of bridge works and has proposed to slightly alter the alignment of the road. According to this new alignment the house in plot No.315/5 and the land notified under Sec.4(1) of L.A. Act will be completely excluded from acquisition proceedings. Under the revised alignment the house and the well in plot No.318/2 and the house in plot No.320/1 will also be excluded from the acquisition proceedings. The house in R.S.No.320/3 cannot be saved from acquisition even after changing the alignment as the house is situated in the centre of the proposed road. The owner has also no serious objection to the acquisition of this house. The

interested parties of various other plots have no objection to the acquisition of the lands as such, but they have objected to the apportionment of the compensation amount. The Collr. has remarked that this question will be decided by the R.D.O. at the time of the award enquiry, regard being shown to the interest of each person in the respective plots.

The Collr. Has stated that further deviation from the proposed alignment cannot be made. The total extent of the lands that are to be acquired is reported to be 7.85 acres and the cost of the lands, according to the preliminary valuation statement, works out to Rs 44,849-9-0 including solatium at 15%. As the lands are required for a public purpose, viz. formation of a road, the Collr. has recommended that the objections may be over-ruled. He has accordingly submitted a draft declaration under Section 6 of the L.A.Act for approval of the Govt.

Consequent on the ~~revising~~ revision of the alignment for the approach road to the bridge, R.S.No.315/5 which was notified for acquisition while publishing the 4(i) notification, is not required now. The Collr. has therefore submitted a draft notification under Section 48(i) of the L.A.Act also withdrawing the said land from acquisition for approval of the Govt.

The Board of Revenue has recommended that the objections to the acquisition of lands may be over-ruled and that the draft withdrawal notification and the draft declaration submitted by the Collector may be approved and published in the Fort St.George Gazette.

Rmp 66

Rde Rev 3
Ov. 2306 C IV
Bridge Rec 56-57
✓ 1966

Dpp 11-14 66

The Collr. of South Kanara has reported that no compensation is payable to any of the interested parties on account of withdrawal of plot Rs.No.315/5 from acquisition. The remaining lands proposed to be acquired are for forming an approach road to a bridge situated on a Govt. road. The expre. involved on acquiring the lands has therefore to be met from public revenues. The draft withdrawal notification under Sec.48(1) of L.A.Act and draft declaration under Sec. 6 of L.A. Act now subd. by the Collr. through the Bd. of Rev. may be approved and published in the Fort St. George Gazette. A draft order is accordingly submitted below for approval.

Rev. may see prior to circulation.

M
21.5.56 Rev

Rev
18/5/56.

Rev
18.5.56

P.W.D. u.o. 2753-A/56-2
21.5.56

Rev Dept.

To W.S.

The note from P.W.D. may be perused. Objections have been raised in respect of some of the S.Nos proposed to be acquired. The Collector has dealt with them in his letter on pp 5-7 cf. He considers that the objections do not deserve consideration and may therefore be overruled. The Board of Revenue has agreed with the Collector. In the circumstances, it is for orders whether this Dept may agree with (the proposal by) P.W.D. to overrule the objections. If so, the draft order below may be accepted and the file returned to P.W.D.

only one house cannot be saved even by a realignment. The objection is not sound and may be overruled. For orders.

Rev
8/5/56

66.56
PWD

SECRETARY TO GOVERNMENT
28 MAY 1956
REVENUE DEPARTMENT

M/s. [illegible]

1 : 4

page 2 of Rev Dept

ASSISTANT SECRETARY TO GOVERNMENT
18 JUN 1956
PUBLIC WORKS DEPARTMENT

Rev w 45230 C/56 S
6-6-56 PWD

P.W.D(A-3)

2753 A/56

1543

The proposal in this file relates to the withdrawal from acquisition of certain lands in South Kanara Dist., Hosdrug Sub Taluk, Chervathur Village, notified for acquisition for formation of an approach road to the Kariangote Bridge consequent on altering the alignment slightly in order to avoid demolition of certain residential buildings and also publication of the draft declaration under Section 6 of the L.A.Act in respect of the remaining lands. The facts of the case are explained in detail in the notes on pp.1-3 ante.

The draft order below, which has also been accepted by Revenue, may now issue after approval in circulation to M (W).

The draft order below may be approved.

V.V. Raghavachari
26.6.56

M.V. Rajagopalan
27.6.56

M(W) Ramakrishnan
3/7

SECRETARIAT GOVERNMENT
5 JUL 1956
PUBLIC WORKS DEPARTMENT

5.7.56